

Docket No.: IR-2908(EV)
Election of Species Under 35 USC § 121
Serial No. 10/037,118

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jolly, Mark R.

Examiner: Butler, Douglas C.

Serial No.: 10/037,118

Group Art Unit: 368

Filed: October 25, 2001

Title: BRAKE WITH FIELD RESPONSIVE MATERIAL

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**ELECTION OF SPECIES
UNDER 35 U.S.C. § 121**

Honorable Assistant Commissioner
of Patents and Trademarks
Washington, DC 20231

Sir:

The following is a provisional election of species filed in response to the Examiner's Action dated December 10, 2002. Applicants believe that no fee is due as this response is being filed prior to the January 10, 2003 deadline, MPEP § 809.02(a). However, if any fees are found to be due, such fees are hereby authorized to be charged to our Deposit Account No. 04-1448.

REMARKS

Applicant notes that Claims 13-37 have been renumbered as Claims 12-36 pursuant to 37 CFR §1.126.

In the first two paragraphs of the Examiner's Detailed Action, the Examiner has required Applicants to elect a single disclosed species for prosecution on the merits under 35 USC §121.